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 Harold Covert, Kenneth Denman, Roger L. Evans,
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 Bernard Puckett and Andrew Verhalen

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

In re OPENWAVE SYSTEMS, INC.
 SHAREHOLDER DERIVATIVE LITIGATION

Master File No.: C-06-03468-SI

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING HEARING
 DATE**

This Document Relates To:

ALL ACTIONS.

New Date: March 30, 2007
 Time: 9:00 a.m.
 Dept.: 10, 19th Floor
 Judge: The Hon. Susan Illston

1 WHEREAS, on December 22, 2006, the Court entered an Order setting forth a schedule for
2 Plaintiffs to file their consolidated complaint, for Nominal Defendant Openwave Systems Inc. and
3 the Individual Defendants to file motions to dismiss the complaint and for Plaintiffs to respond
4 thereto, and for the hearing on the motions.

5 WHEREAS, the parties have met and conferred and have agreed, subject to Court approval,
6 to: (1) continue by one week the dates by which the parties must file their briefs in connection with
7 the motions to dismiss the complaint; and (2) continue the hearing on the motions for one week.

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties,
9 through their respective counsel of record, as follows:

- 10 1. Openwave's and the Individual Defendants' motions to dismiss shall be filed by
11 February 9, 2007;
- 12 2. Plaintiffs' opposition to the motions to dismiss shall be filed by March 9, 2007;
- 13 3. Openwave's and the Individual Defendants' replies shall be filed by March 23, 2007;
- 14 4. The hearing on the motions to dismiss shall be held at 9 a.m. on March 30, 2007, or
15 such later date convenient for the Court.

16 IT IS SO STIPULATED.

17 Dated: February 1, 2007

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

19 By: /s/ Garrett J. Waltzer

Garrett J. Waltzer

Attorneys for Defendants

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1 Dated: February 1, 2007

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1 Dated: February 1, 2007

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9 Dated: February 1, 2007

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11 By: /s/ Lee H. Rubin


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18 **ORDER**

19 IT IS SO ORDERED.

20 Dated: _____.

21 
22 THE HONORABLE SUSAN ILLSTON
23 UNITED STATES DISTRICT COURT JUDGE

24 The initial case management conference shall be continued to March 30, 2007, at 2:00 p.m.

25 A joint case management conference statement must be filed one week prior to the conference.

CERTIFICATE OF SERVICE

I, Garrett J. Waltzer, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order to Extend Time. In compliance with General Order 45.X.B, I hereby attest that each of the counsel executing the Stipulation has concurred in this filing.

Dated: February 2, 2007

/s/ Garrett J. Waltzer
Garrett J. Waltzer

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